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Parish of Natchitoches

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John Richmond
 Parish President

April 26, 2021

PARISH COUNCIL

Chris Paige
 District 1

Patsy Ward Hoover
 District 2

Jim Kilcoyne
 District 3

Marty Cheatwood
 District 4

John Salter
 District 5

Louisiana Ethics Board
617 N 3rd Street
Baton Rouge, LA 70802

Dear Ethics Board:

We, the majority of, the Natchitoches Parish Council Members are writing you regarding the actions of the Parish President on September 21, 2020 with respect to purchasing Highway equipment (Front-End Loader).

In our opinion the President had no authority to purchase the in-questioned equipment. We disagree with the opinion provided by our Parish Attorney and District Attorney. We are asking for your opinion on this matter.

We believe the opinion of the DA does not give the Parish President authority to purchase equipment for the following reasons:

- 1. First, our Ordinance was to amend the Budget. The Council voted unanimously to amend the Budget.***
- 2. The second agenda item was to purchase a new front-end Loader, it was voted down 3 to 2. (see #5)***
- 3. There was no Ordinance to spend the money. The Ordinance was just to amend the budget.***
- 4. All legal business is done by Ordinance. There was not a separate Ordinance to purchase the new front-end loader.***

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- 5. The purchase department submitted separate agenda items asking the Council to approve each for purchase. Two other pieces of equipment were approved for purchase, but the front-end loader was not.**

- 6. The Parish Council has the power of the purse and only the Council can approve expenditures. The Parish President acted against the wishes of the Council in ordering the purchase department to proceed.**

We thank you for your attention in this matter. If you have any further questions, please do not hesitate to give us a call or email.

Sincerely,

Parish Council Members:

Councilwoman Patsy Hoover, District 2

Councilman Jim Kilcoyne, District 3

Councilman John Salter, District 5

Offered by John Salter, who moved its adoption and duly seconded by Patsy Hoover.

RESOLUTION-017-2021

BE IT RESOLVED by the vote of the Parish Council of Natchitoches Parish Government that the Parish Council, has been approved by majority vote to send to the Attorney General's Office for a ruling on the action of the Parish President in purchasing a front-end loader equipment following Parish Council Passage of Parish Ordinance #015-2020.

BE IT FURTHER RESOLVED a ruling as to whether the Natchitoches Parish President had the authority to purchase a front-end loader in accordance with Passage of Parish Ordinance #015-2020, given the failure of passage of a related "Other agenda item" to authorize the purchase of a new loader from Scott Equipment Company.

BE IT FURTHER RESOLVED prior to its regularly scheduled Natchitoches parish Council meeting on September 21, 2020, the Council posted its Agenda for the meeting. That agenda listed two relevant items, addressing in part, the purchase of a Front-End Loader equipment. The published agenda listed under the heading: "Public Hearings: C. Adoption of Ordinance 015-2020 for Budget Amendment for Highway Fund, Coco Bed Capital Outlay Fund, Fish Hatchery Capital Outlay Fund, and Old River Road Capital Outlay Fund, 201 Capital Outlay Fund. And "Action on Proposed Ordinances: C. Adoption of Ordinance 015-Ordinance 015-2020 for Budget Amendment for Highway Fund, Coco Bed Capital Outlay Fund, Fish Hatchery Capital Outlay Fund, and Old River Road Capital Outlay Fund, 201 Capital Outlay Fund. And Finally, the agenda also stated: 11. Other Agenda Items: E. Council to authorize the purchase of a New Loader under the State Contract #4400015170 in the amount of \$155,715.48 from Scott Equipment.

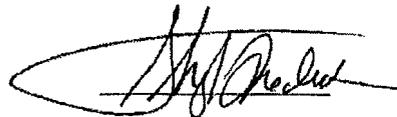
NOW, THEREFORE, BE IT RESOLVED that the Natchitoches Parish Council, in regular and legal session convened, does hereby approve the Resolution to be sent to the Attorney General Office for a ruling on the above matter.

ROLL CALL VOTE:

District	Council Member	Yes	No	Abstain	Absent
1	Chris Paige		x		
2	Patsy Hoover	x			
3	Jim Kilcoyne	x			
4	Marty Cheatwood		x		
5	John Salter	x			

CERTIFICATE

I, Parish Clerk, hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Parish Council of the above-named organization Natchitoches Parish Government day of March 15, 2021, at which meeting a quorum was present and voting.


(Parish Clerk)